

HOUSE BILL REPORT

HB 1748

As Passed Legislature

Title: An act relating to aged, blind, or disabled program eligibility for victims of human trafficking.

Brief Description: Concerning aged, blind, or disabled program eligibility for victims of human trafficking.

Sponsors: Representatives Entenman, Leavitt, Valdez, Callan, Gregerson, Peterson, Shewmake, Wylie, Sullivan, Simmons, Riccelli and Harris-Talley; by request of Department of Social and Health Services.

Brief History:

Committee Activity:

Housing, Human Services & Veterans: 1/13/22, 1/20/22 [DP];
Appropriations: 1/31/22, 2/3/22 [DP].

Floor Activity:

Passed House: 2/9/22, 96-0.
Senate Amended.
Passed Senate: 2/25/22, 49-0.
House Concurred.
Passed House: 3/8/22, 97-0.
Passed Legislature.

Brief Summary of Bill

- Makes victims of human trafficking eligible for the Housing and Essential Needs (HEN) program, the Aged, Blind, or Disabled (ABD) program, and the Pregnant Women Assistance Program.
- Replaces references to "drug or alcohol" with "substance use" for purposes of the HEN and the ABD programs.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

HOUSE COMMITTEE ON HOUSING, HUMAN SERVICES & VETERANS

Majority Report: Do pass. Signed by 9 members: Representatives Peterson, Chair; Taylor, Vice Chair; Caldier, Ranking Minority Member; Gilday, Assistant Ranking Minority Member; Barkis, Bateman, Chopp, Donaghy and Leavitt.

Staff: Lena Langer (786-7192).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 32 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Stokesbary, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Corry, Assistant Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Boehnke, Chandler, Chopp, Cody, Dolan, Dye, Fitzgibbon, Frame, Hansen, Harris, Hoff, Jacobsen, Johnson, J., Lekanoff, Pollet, Rude, Ryu, Schmick, Senn, Springer, Steele, Stonier, Sullivan and Tharinger.

Staff: Linda Merelle (786-7092).

Background:

Housing and Essential Needs Program.

The Department of Commerce (Commerce) administers the Housing and Essential Needs (HEN) program under the state's homeless housing program. If an individual is eligible for the HEN, the Department of Social and Health Services (DSHS) refers that person to Commerce. The HEN is funded by state general funds appropriated in the biennial operating budget.

Commerce distributes funding to designated HEN providers within each county who provide housing supports or essential needs supports to eligible individuals. Housing supports are assistance provided to maintain existing housing when the recipient is at substantial risk of becoming homeless, to obtain housing, or to obtain certain utility services when the recipient is at risk of losing those services. Housing supports can include rental assistance. Essential needs supports can include items such as personal hygiene and household supplies, bus passes, and laundry tokens. Recipients of HEN supports do not receive a cash grant.

The DSHS must share information with Commerce and designated HEN providers that allows for verification of an individual's HEN eligibility. Commerce must provide a list of individuals eligible for HEN supports to providers on no less than a monthly basis.

The income standards for HEN eligibility are set in statute. Countable income for an individual must be at or below \$339 per month, and income for married couples must be at

or below \$428 per month. A person is ineligible for HEN if he or she refuses or fails without good cause to participate in drug or alcohol treatment if an assessment by a certified chemical dependency counselor indicates a need for such treatment.

Aged, Blind, or Disabled Program.

The Aged, Blind, or Disabled (ABD) program provides cash assistance to low-income individuals meeting eligibility requirements. The DSHS determines eligibility for the ABD program. Eligible individuals must be aged 65 or older, be blind, or have a long-term medical condition that is likely to meet federal disability criteria and result in qualification for the federal Supplemental Security Income (SSI) program.

The ABD program recipients must cooperate with the federal disability application process. To assist with this process, the ABD program recipients receive SSI facilitation. The SSI facilitators help the ABD program recipients file applications for SSI and gather necessary medical evidence. The state receives a reimbursement for the cost of providing ABD program cash assistance when recipients are successfully transitioned to SSI.

A person is ineligible for the ABD program when he or she is not able to engage in gainful employment primarily due to alcohol or drug dependency. If the person has a separate impairment in addition to alcohol or drug dependency, the individual may be eligible to receive ABD program assistance.

Pregnant Women Assistance Program.

The Pregnant Women Assistance Program (PWA) is a state-funded program that provides women who are low-income, pregnant, and who are not eligible for Temporary Assistance for Needy Families (TANF) or State Family Assistance (SFA) with cash assistance and a referral to the HEN program for 24 consecutive months from the date DSHS determines PWA eligibility. Eligible women must be pregnant, reside in Washington, meet income and resource requirements, meet citizenship/alien status requirements, and do not meet a 60-month TANF time limit extension hardship category. A person is not eligible for PWA if they are eligible for TANF or SFA; refuse or fail to meet a TANF or SFA eligibility rule; do not participate in substance use disorder treatment when required, without good cause; or are eligible for SSI benefits.

Human Trafficking.

Effective February 1, 2022, victims of human trafficking and other certain crimes, and their qualifying family members, are eligible for the following state assistance programs:

- Food Assistance Program for legal immigrants, if they are not eligible for the federal food stamp program;
- State Family Assistance Programs, if they otherwise meet program eligibility requirements; and
- Medical Care Services, if they are not eligible for Apple Health for Kids or other federal health insurance programs.

Victim of human trafficking is defined in statute as a non-citizen and any qualifying family members who have:

- filed or are preparing to file an application for a T or U visa with the appropriate federal agency; or
- been harmed by certain crimes including kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, or coercion of an involuntary servitude, the sexual exploitation of children, among others, and:
 - the person is taking steps to meet conditions for federal benefits for victims of trafficking; or
 - the person is preparing to file or has filed an application for asylum.

A qualifying family member includes a victim's spouse, children, parents, and unmarried siblings under the age of 18, when the victim is under 21 years of age, and a victim's spouse and children, when the victim is 21 years old or older. A qualifying family member does not include a family member who has been charged with or convicted of attempt, conspiracy, solicitation, or commission of any crime referenced in this act when the crime is against a spouse who is a victim of human trafficking or against the child of a victim of human trafficking.

Summary of Bill:

Eligibility for purposes of the HEN, ABD, and PWA programs are amended to include victims of human trafficking, as defined in statute.

The requirement that the applicant provide DSHS with their social security number, or that an application for a social security number be made prior to the authorization of benefits does not apply to victims of human trafficking if they have not been issued a social security number.

In the HEN and the ABD programs, references to "drug or alcohol" are amended to "substance use."

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on July 1, 2022.

Staff Summary of Public Testimony (Housing, Human Services & Veterans):

(In support) This agency-request bill will provide assistance services for some of our most vulnerable, victims of human trafficking. This bill builds upon legislation passed in the 2020 legislative session. This bill amends the eligibility of ABD and HEN programs to align with changes made to other state assistance programs. Significantly, this bill aligns

eligibility between Medical Care Services and ABD and HEN programs. Passing this bill will significantly help those individuals to improve their health and well-being and maintain their basic needs.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) None.

(Opposed) None.

Persons Testifying (Housing, Human Services & Veterans): Representative Debra Entenman, prime sponsor; and Babs Roberts, Department of Social and Health Services, Economic Services Administration.

Persons Testifying (Appropriations): None.

Persons Signed In To Testify But Not Testifying (Housing, Human Services & Veterans): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.